

E-FILED on 10/21/2011

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RYAN MELCHER,

Appellant,

v.

JOHN W. RICHARDSON, Trustee in
Bankruptcy,

Appellee.

No. 11-cv-00342 RMW

ORDER SETTING DEADLINES

Ryan Melcher commenced the above appeal by filing a notice of appeal on January 12, 2011. The record on appeal has not been transmitted by the bankruptcy court to the district court because Mr. Melcher did not file adequate or correct designations of record with the bankruptcy court. Mr. Melcher also has not filed an opening brief. On September 20, 2011, the court ordered Mr. Melcher to appear on October 21, 2011 and show cause why the case should not be dismissed for lack of prosecution. Mr. Melcher did not appear at the hearing on October 21, though his mother Jacqueline Melcher did appear regarding her separate appeal. Mr. Melcher must file adequate designations of the record with the Bankruptcy Court so that the record may be transmitted to the district court by November 4, 2011. To determine how to correct the record, Mr. Melcher may need to contact the

1 bankruptcy court's appeals clerk. He must then file his opening brief in this appeal by December 1,
2 2011. If these deadlines are not met, the appeal will be dismissed.

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5 DATED: 10/21/2011


RONALD M. WHYTE
United States District Judge

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United States District Court
For the Northern District of California